

1 GEORGE A. RILEY (S.B. #118304) griley@omm.com
2 DARIN W. SNYDER (S.B. #136003) dsnyder@omm.com
3 MICHELLE L. DAVIDSON (S.B. #218559) mdavidson@omm.com
4 CARLA MENINSKY (S.B. #233470) cmeninsky@omm.com
5 O'MELVENY & MYERS LLP
6 Embarcadero Center West
7 275 Battery Street
8 San Francisco, CA 94111-3305
9 Telephone: (415) 984-8700
10 Facsimile: (415) 984-8701

11 Attorneys for Defendants
12 OrthoClear, Inc. and
13 OrthoClear Holdings, Inc.

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 ALIGN TECHNOLOGY, INC.,

18 Plaintiff,

19 v.

20 ORTHOCLEAR, INC. and
21 ORTHOCLEAR HOLDINGS, INC.,

22 Defendant.

Case No. CV 05-2948 MMC

**~~PROPOSED~~ SEALING ORDER RE
GRANTING DEFENDANT
ORTHOCLEAR, INC.'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE CONFIDENTIAL
DOCUMENTS UNDER SEAL PURSUANT
TO CIVIL LOCAL RULE 79-5**

Hearing Date: August 18, 2006
Time: 9:00 a.m.
Courtroom: 7
Judge: Hon. Maxine Chesney

1 Pursuant to Civil Local Rule 79-5 and the Protective Order previously entered in this
2 action, it is HEREBY ORDERED that Defendant OrthoClear, Inc.'s Administrative Motion for
3 Leave to File Confidential Documents Under Seal Pursuant to Civil Local Rule 79-5 is
4 GRANTED.

5 As specified in Defendants' motion, the following documents are to be SEALED:

6 1. Exhibit 2 to the Declaration of Michelle L. Davidson in support of Defendant
7 OrthoClear, Inc.'s Motion For Summary Judgment, dated July 14, 2006 (the "Davidson Summary
8 Judgment Decl.") (document bearing Bates numbers OCTP0014273-341);

9 2. Exhibit 3 to the Davidson Summary Judgment Decl. (document bearing Bates
10 number OCTP0013890);

11 3. Exhibit 9 to the Davidson Summary Judgment Decl. (Align's Supp. Resp. to
12 OrthoClear's First Set of Interrogs.);

13 ~~4. Exhibit 10 to the Davidson Summary Judgment Decl. (excerpts of deposition of~~
14 ~~Linda G. Alvarez, dated April 24, 2006);~~

15 5. Exhibit 11 to the Davidson Summary Judgment Decl. (excerpts of deposition of
16 Joe M. Breeland, dated April 26, 2006);

17 6. Exhibit 12 to the Davidson Summary Judgment Decl. (excerpts of deposition of
18 Brent Coles, dated April 27, 2006);

19 7. Exhibit 13 to the Davidson Summary Judgment Decl. (excerpts of deposition of
20 Craig Crawford, D.D.S., dated April 28, 2006);

21 8. Exhibit 15 to the Davidson Summary Judgment Decl. (excerpts of deposition of
22 Jack T. Guthrie, III, dated April 18, 2006);

23 9. Exhibit 16 to the Davidson Summary Judgment Decl. (excerpts of deposition of
24 Paul N. Kimball, dated March 27, 2006);

25 10. Exhibit 17 to the Davidson Summary Judgment Decl. (excerpts of
26 deposition of Mitchell A. Krueger, dated April 20, 2006);

27 11. Exhibit 18 to the Davidson Summary Judgment Decl. (excerpts of deposition of
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1 Scott L. O'Neil, dated April 27, 2006);

2 12. Exhibit 19 to the Davidson Summary Judgment Decl. (excerpts of deposition of
3 David S. Thrower, March 28, 2006);

4 13. Exhibit 20 to the Davidson Summary Judgment Decl. (excerpts of deposition of
5 Greg R. Tomita, dated April 26, 2006);

6 14. Exhibit 21 to the Davidson Summary Judgment Decl. (excerpts of deposition of
7 Jeffrey B. Tunnell, dated April 19, 2006);

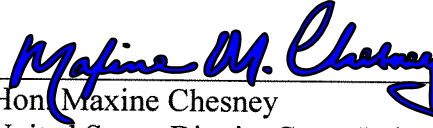
8 15. Exhibit 22 to the Davidson Summary Judgment Decl. (excerpts of deposition of
9 Keith Ryan Wolf, dated April 21, 2006);

10 16. Exhibit 23 to the Davidson Summary Judgment Decl. (excerpts of deposition of
11 Barbara L. Woodbury, dated April 25, 2006); and

12 17. The Memorandum of Points and Authorities in Support of Defendant OrthoClear,
13 Inc.'s Motion For Summary Judgment, dated July 14, 2006.

14 As to Exhibit 10 to the Davidson Summary Judgment Decl., defendant shall e-file such
15 **IT IS SO ORDERED.** exhibit no later than August 4, 2006 if it wishes such exhibit to
16 be considered by the Court.

17 Dated: July 26, 2006

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20 Hon. Maxine Chesney
21 United States District Court Judge
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